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SIXTY-SIXTH LEGISLATURE

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TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 2, 2022

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Ward-Engelking and Acting Senator VanOrden, absent and formally excused by the Chair; and Senator Riggs, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Haydon Madison, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 1, 2022, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 2, 2022

The JUDICIARY AND RULES Committee reports that [S 1250](#), [S 1251](#), [S 1252](#), and [S 1253](#) have been correctly printed.

LAKEY, Chairman

[S 1250](#) was referred to the Judiciary and Rules Committee.

[S 1251](#) and [S 1252](#) were referred to the Resources and Environment Committee.

[S 1253](#) was referred to the Education Committee.

February 1, 2022

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1232](#), [S 1234](#), [S 1235](#), and [S 1236](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1232](#), [S 1234](#), [S 1235](#), and [S 1236](#) were filed for second reading.

February 1, 2022

The TRANSPORTATION Committee reports out [S 1231](#) with the recommendation that it do pass.

DEN HARTOG, Chair

[S 1231](#) was filed for second reading.

February 1, 2022

The EDUCATION Committee reports out [S 1247](#) with the recommendation that it do pass.

THAYN, Chairman

[S 1247](#) was filed for second reading.

February 1, 2022

The HEALTH AND WELFARE Committee reports out [S 1245](#) and [S 1246](#) with the recommendation that they do pass.

MARTIN, Chairman

[S 1245](#) and [S 1246](#) were filed for second reading.

February 1, 2022

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1241](#) and [S 1249](#) with the recommendation that they do pass.

RICE, Chairman

[S 1241](#) and [S 1249](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 1, 2022

Dear Madam President:

I transmit herewith [H 450](#), which has passed the House.

MAULIN, Chief Clerk

[H 450](#) was filed for first reading.

February 2, 2022

Dear Madam President:

I transmit herewith Enrolled [HCR 28](#), [H 449](#), and [H 436](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 28](#), [H 449](#), and [H 436](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Charles "Skip" Smyser was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Stennett, the Gubernatorial appointment of Charles "Skip" Smyser as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of John Chatburn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Burgoyne disclosed a possible conflict of interest under applicable law.

On motion by Senator Harris, seconded by Senator Burgoyne, the Gubernatorial appointment of John Chatburn as a member of the Public Utilities Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1254

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO THE REGIONAL AIR QUALITY COUNCIL ACT; REPEALING SECTION 39-116B, IDAHO CODE, RELATING TO A VEHICLE INSPECTION AND MAINTENANCE PROGRAM; AMENDING THE HEADING FOR CHAPTER 67, TITLE 39, IDAHO CODE; AMENDING SECTION 39-6701, IDAHO CODE, TO REMOVE A PROVISION REGARDING THE TREASURE VALLEY AIR QUALITY COUNCIL; REPEALING SECTION 39-6702, IDAHO CODE, RELATING TO THE ESTABLISHMENT OF THE TREASURE VALLEY AIR QUALITY COUNCIL; AMENDING CHAPTER 67, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6702, IDAHO CODE, TO PROVIDE FOR AIR QUALITY REVIEW; REPEALING SECTION 39-6703, IDAHO CODE, RELATING TO THE ESTABLISHMENT OF A REGIONAL AIR QUALITY COUNCIL; AMENDING CHAPTER 67, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6703, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF REGIONAL AIR QUALITY COUNCILS; AMENDING SECTION 39-6705, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE TREASURE VALLEY AIR QUALITY COUNCIL, TO DEFINE A TERM, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-6706, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE TREASURE VALLEY AIR QUALITY COUNCIL AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 39-6707, IDAHO CODE, RELATING TO MEMBERSHIP OF THE TREASURE VALLEY AIR QUALITY COUNCIL; REPEALING SECTION 39-6709, IDAHO CODE, RELATING TO THE DUTIES OF THE TREASURE VALLEY AIR QUALITY COUNCIL; AMENDING SECTION 39-6710, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE TREASURE VALLEY AIR QUALITY COUNCIL AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION

39-6711, IDAHO CODE, RELATING TO THE TREASURE VALLEY AIR QUALITY PLAN; REPEALING SECTION 39-6712, IDAHO CODE, RELATING TO IMPLEMENTATION OF THE TREASURE VALLEY AIR QUALITY PLAN; REPEALING SECTION 39-6713, IDAHO CODE, RELATING TO THE TREASURE VALLEY AIR QUALITY TRUST FUND; AND PROVIDING AN EFFECTIVE DATE.

S 1255

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1029, IDAHO CODE, TO PROVIDE FOR STATUTORY CONSTRUCTION WITH REGARD TO NONPUBLIC SCHOOL STUDENTS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1030, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1031, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING AN EMPOWERING PARENTS GRANT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1032, IDAHO CODE, TO PROVIDE FOR A PARENT ADVISORY PANEL; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1033, IDAHO CODE, TO PROVIDE FOR A CERTAIN REPORT AND EVALUATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1034, IDAHO CODE, TO ESTABLISH AN EMPOWERING PARENTS GRANT PROGRAM FUND; PROVIDING SEVERABILITY; PROVIDING LEGISLATIVE INTENT; AND DECLARING AN EMERGENCY.

S 1256

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CRIMINAL HISTORY AND BACKGROUND CHECKS; AMENDING SECTION 56-1004A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SIGNATURE REQUIREMENTS FOR CERTAIN APPLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1257

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE SOUTHWEST IDAHO TREATMENT CENTER; AMENDING SECTION 56-234, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SOUTHWEST IDAHO TREATMENT CENTER; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1258

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO STATE HOSPITALS AND TREATMENT FACILITIES; AMENDING SECTION 36-401, IDAHO CODE, TO PROVIDE A REFERENCE TO STATE HOSPITAL WEST; AMENDING SECTION 56-203, IDAHO CODE, TO PROVIDE AUTHORITY TO MANAGE AND OPERATE STATE HOSPITALS TO THE STATE DEPARTMENT OF HEALTH AND WELFARE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-235, IDAHO

CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1003, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1004, IDAHO CODE, TO PROVIDE A REFERENCE TO STATE HOSPITAL WEST; AMENDING SECTION 56-1408, IDAHO CODE, TO PROVIDE A REFERENCE TO STATE HOSPITAL WEST; AMENDING SECTION 67-5339, IDAHO CODE, TO REVISE PROVISIONS REGARDING A LOAN REPAYMENT PROGRAM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5303, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEDICAL DIRECTORS EMPLOYED BY THE DEPARTMENT OF HEALTH AND WELFARE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING CHAPTER 1, TITLE 66, IDAHO CODE, RELATING TO STATE HOSPITALS; AMENDING SECTION 54-1761, IDAHO CODE, TO REMOVE A CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1259**BY HEALTH AND WELFARE COMMITTEE****AN ACT**

RELATING TO PROPERTY TAX REDUCTION; AMENDING SECTION 63-701, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1260**BY HEALTH AND WELFARE COMMITTEE****AN ACT**

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1853, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR HEALTH BENEFIT PLANS AND STUDENT HEALTH BENEFIT PLANS COVERING PRESCRIPTION CONTRACEPTION, AND TO PROVIDE THAT THE SECTION SHALL NOT BE CONSTRUED TO REQUIRE CERTAIN REIMBURSEMENT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1261**BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO THE PROTECTION OF MINORS; AMENDING TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 20, TITLE 48, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A DECLARATION OF POLICY, TO DEFINE TERMS, TO REQUIRE THE INSTALLATION OF FILTERS ON DEVICES, TO ESTABLISH PROVISIONS REGARDING VIOLATIONS, TO PROVIDE FOR ATTORNEY GENERAL ENFORCEMENT, TO PROVIDE AUTHORITY FOR ADDITIONAL RELIEF, AND TO PROVIDE FOR CERTAIN CIVIL CAUSES OF ACTION BY PARENTS OR LEGAL GUARDIANS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1262**BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO THE STATE DISASTER PREPAREDNESS ACT; AMENDING SECTION 46-1008, IDAHO CODE, TO PROVIDE FOR CERTAIN LIMITATIONS DURING A STATE

OF DISASTER EMERGENCY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1263**BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO HOMEOWNER'S ASSOCIATIONS; AMENDING SECTION 55-115, IDAHO CODE, TO PROVIDE CERTAIN EXCEPTIONS REGARDING THE IMPOSITION OF FINES FOR CERTAIN VIOLATIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1254](#), [S 1255](#), [S 1256](#), [S 1257](#), [S 1258](#), [S 1259](#), [S 1260](#), [S 1261](#), [S 1262](#), and [S 1263](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 450](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 443](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1238](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Semmelroth, Souza, Stennett, Thayne, Vick, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Riggs, VanOrden (Bair), Ward-Engelking. Total - 3.

Total - 35.

Whereupon the President declared [S 1238](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Lee, by voice vote, the Senate adjourned at 12:01 p.m. until the hour of 11:15 a.m., Thursday, February 3, 2022.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary